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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RSA 34/2025

SMT SUSHMA KUMARI SAHANIAppellant

Through: Mr.Harendra Singh and
Mr.M.C.Sharma, Advocates

versus

SH DINESH MIGLANIRespondent

Through: None

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

% **10.03.2025**

CM APPLs. 10404-05/2025 (Exemptions)

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

CM APPL. 10402/2025 (extension of time)

By way of this application, the applicant/appellant seeks extension of time in depositing the Court fee.

Learned counsel for the appellant undertakes to deposit the Court fee within four weeks from today.

In view thereof, the application stands disposed of.

CM APPL. 10406/2025 (Delay)

By way of this application under Section 5 of the Limitation Act, 1963 read with Section 151 of the Code of Civil Procedure, 1908, the appellant seeks condonation of delay of 63 days in filing the captioned



appeal.

On filing PF, issue notice to the respondent through all permissible modes, returnable on 18.08.2025.

RSA 34/2025

1. The present regular second appeal under Section 100, read with Order XLII Rule 1 of the Code of Civil Procedure, 1908, has been filed on behalf of the appellant challenging the judgment dated 17.09.2024 in RCA No. 49/2019, titled "*Smt. Sushma Kumari Sahani & Ors. v. Sh. Dinesh Miglani.*" The learned first Appellate Court dismissed the appeal vide judgment dated 22.12.2015, passed by the learned Civil Judge-09, Central District, Tis Hazari Courts, Delhi, in Civil Suit No. 258/08.
2. Learned counsel for the appellant submits that both Courts have committed a grave error by failing to properly appreciate the evidence on record.
3. Upon filing of process fee, issue notice to the respondent through all permissible modes, returnable on 18.08.2025.
4. Both the parties are directed to complete the pleadings and to file brief written submissions not exceeding five pages [*with reference to the PDF page number of the digital record of the Court*] along with relevant judgments [*with an index of the specific paragraphs of the said decision and the corresponding proposition of law, to be relied on*] within four weeks with a copy to the opposite party at least one week in advance of the next date of hearing.
5. Trial Court Record and Appellate Court Record be requisitioned



before the next date of hearing.

CM APPL. 10403/2025 (Stay)

1. The present application has been filed seeking stay of the operation of the impugned order.
2. On filing PF, issue notice to the respondent through all permissible modes, returnable on 18.08.2025.

DINESH KUMAR SHARMA, J

MARCH 10, 2025

Dy/na..